



Boston City Council
Committee on Census and Redistricting
Maureen E. Feeney, *Chair*

October 2, 2002

Dear Councillors:

After an extensive public process, including more than ten public hearings/meetings attended by more than 350 people over two years, **the Committee on Census and Redistricting is recommending that the City Council pass Docket #0903 in a new draft.** The new draft reflects several changes from the plan substituted on September 25, 2002. They are: returning Ward 9 Precinct 1 to District 2; moving Ward 4 Precinct 4 from District 2 to District 7; returning Ward 15 Precinct 1 to District 3; moving Ward 15 Precinct 2 and Ward 17 Precinct 11 from District 3 to District 4; and moving Ward 11 Precinct 5 from District 6 to District 7. (See attached map, ordinance, and data)

Boston's Demographic Changes

The 2000 Federal Census reported that 589,141 people live in Boston, an increase of 14,858 or 2.6 percent. For the first time, more than fifty percent of residents were people of color (297,580 or 50.5 percent).¹ The White population decreased from 338,734 in 1990 to 291,561 (13.9 percent). The largest group within the non-White population continues to be the Black/African American residents, totaling 140,305 or 23.8 percent. Hispanic residents now represent 14.4 percent of the population, up from 10.8 percent in 1990. As the fastest growing population, Asian/Pacific Islander residents now represent 7.5 percent of the population, up from 5.2 percent, which is an increase of 49.4 percent.

The effects of the demographic shifts were not consistent across the City. As the fastest growing neighborhood in Boston, East Boston added 5,472 (16.6 percent) new residents since 1990. North Dorchester, East Boston, and Hyde Park have more people of color than Whites, unlike in 1990. Charlestown increased its Non-White population by more than four times while and South Boston more than tripled the number of Non-White residents. East Boston, Hyde Park, Roslindale, and West Roxbury more than doubled theirs. Fewer people of color now live in Jamaica Plain, Roxbury, and the South End. Black/African American residents now represent a larger portion of Hyde Park, Roslindale, Central Boston, Charlestown, Dorchester, East Boston, South Boston, and West Roxbury, but a smaller portion of Allston/Brighton, Back Bay/Beacon Hill, Jamaica Plain, Fenway/Kenmore, Roxbury, and the South End. The Hispanic population increased significantly in East Boston, Hyde Park, Mattapan, Roslindale, and Roxbury. Allston/Brighton, Dorchester, and Fenway/Kenmore experienced significant increases in their Asian/Pacific Islander residents while Jamaica Plain, Roslindale, South Boston, and West Roxbury showed smaller increases in their Asian population. (See attached neighborhood demographics)

¹ Due to the addition of the Multi-Racial category in the 2000 Census, race/ethnicity designations are not completely comparable.

Principles of Redistricting and Committee Goals

While not adopted as the formal resolution of the Committee or the Council, Councillor Chuck Turner, as Chair of the 2001 Census and Redistricting Committee, filed a resolution identifying his principles to guide the redistricting process:

- The democratic process works best when the voices of the diverse parts of the electorate are able to assert their interests through the electoral process.
- Groups have historically faced marginalization as well as discrimination but also continue to face these forces in various forms, including people of color, people of low and moderate income, women, gays and lesbians, the elderly, and disabled.
- The redistricting process should be used to empower these groups at the ballot box in order to strengthen their ability to resist marginalization and discrimination.
- The Committee should seek to design districts which maximize the electoral strength of the above mentioned groups.
- The Committee should consider such criteria as contiguity, respect for political boundaries, and respect for the interests of those holding office.

-- City Council Resolution #2001-0498, Sponsored by Councillor Turner, et al, referred to Committee on April 11, 2001.

In the initial meeting with Council President Flaherty on my chairing this Committee, we discussed the goals for the Committee and the means of achieving them. During the state redistricting process, there was little, if any, public process, with residents finding out they had a new State Representative or Senator either by reading the newspaper or Election Department notification. I made the commitment, shared by my colleagues, to have an open process, including public neighborhood hearings and Committee meetings. I also expressed the desire to have the Committee work together to develop the final plan. We also discussed the option, which has been done elsewhere, to hire someone to develop the plans and bring them to the Council. Given that redistricting is one of the Council's major responsibilities, that the City was facing layoffs, and the range of available skills on Central Staff, I thought it would be best to see if the Council could do the work ourselves. If we found that it was not possible, then we could retain someone to create plans. Working on this in Council would allow for a short turnaround as suggestions for alternatives were formulated. Outside expertise would be retained to review plans for legal compliance.

Based on legal requirements and previously identified concerns, I developed the following guiding principles for redistricting:

- Bringing each District into compliance with legal redistricting guidelines;
- Reuniting neighborhoods where possible;
- Establishing districts that take into consideration the City's demographic shifts; and
- Limiting disruption for voters.

Legal Requirements

Boston is required by law to redistrict every 10 years following the release of Federal Census results. Court cases have established that the acceptable population range to maintain "one person one vote" is 10 percent. Based on the census figures reporting 589,141 people in Boston, the range is 62,187 to 68,733. As a result of the change in population, three current districts (1, 2, 3) are above the permissible range of five percent from the average of 65,460 people per District. Districts 6 and 7 are below the permissible range. The Boston City Council consists of thirteen members, four of which are elected at large, and nine are elected by District. Chapter 605 of the Acts of 1982, section 3 states:

Each such District shall be compact and shall contain, as nearly as may be, an equal number of inhabitants as determined by the most recent decennial census, shall be composed of contiguous existing precincts, and shall be drawn to a view towards preserving the integrity of existing neighborhoods.

1. Equally Populous Districts

The City Council District-by-District analysis based on the 2000 Decennial Census states on its face that the districts must be reapportioned due to changes in population throughout the City of Boston. Thus, in order to comply with the one person – one vote standard found in Reynolds v. Sims, 377 U.S. 533 (1964), a redistricting plan must be recommended by the Committee and voted upon by the Council. In Sims, the Court determined that, under the Fourteenth Amendment’s equal protection clause, a “one person, one vote” standard must be achieved in any redistricting plan. While the federal cases originally imposed such plans on congressional and state-elected representative districts, the same reasoning and law applies to a municipality when redistricting its legislative body. The Sims Court stated that

while we do not intend to indicate that decennial reapportionment is a constitutional requisite, compliance with such an approach would clearly meet the minimal requirements for maintaining a reasonably current scheme of legislative representation. at 588.

The Council not only must comply with federal standards governing one person – one vote, it must also comply with similar standards imposed by the Massachusetts Constitution Amended Article 101 and St. 1982 Chapter 605 Section 3. These provisions require that the electoral districts should be as nearly equal in population as practical. Thus, an equal number of inhabitants as nearly as possible shall be composed of contiguous existing precincts, Trustees of Boston University v. Board of Assessors of Brookline, 11 Mass. App. Ct. 325, (importing “actual contact, something that adjoins ... or touching along boundaries” at 328)² and shall be drawn with a view toward preserving the integrity of existing neighborhoods (St. 1982Chapter605, Section 3.)

Thus, the 2000 decennial Census, which determined that 589,141 inhabitants reside in the City of Boston, shall contain nine council districts with a norm of 65,460 inhabitants. The case law allows a variance between districts of no more than 10 percent. An acceptable high norm council District can contain a maximum of 68,733 persons and the lowest acceptable number of inhabitants in a District will be 62,187 persons. The Courts have used the term “substantial equality requirement” to allow for a total maximum deviation of less than 10 percent, without more, does not constitute a Constitutional violation and requires no justification. Voinovich v. Quilter, 507 U.S. 146 (1993); White v. Regester, 412 U.S. 755 (1973).

With respect to standards for local redistricting, it was stated above that the federal cases ought to be followed when determining one person – one vote principles and substantial equality. The Courts have stricken municipal plans with variances from one district to another including a maximum deviation of 132 percent. Board of Estimate v. Morris, 489 U.S. 688, 703 (1989) and upholding an 11.9 percent total maximum deviation for a county board of supervisors, Abate v. Mundt, 403 U.S. 182 (1971); and Latino Political Action Committee, Inc. v. City of Boston, 568 F.Supp. 1012 (1983) striking down a 23.6% total maximum deviation in Boston City Council districts. See also, Black Political Task Force v. Connolly, 679 F. Supp. 109, 114 (D. Mass. 1988, 3 Judge Court) where a plan that includes no districts with inhabitants no more nor less than 5 percent of the norm of inhabitants, the plan does not violate Sims.

² Districts can be contiguous by a body of water, Lamson v. Secretary of the Commonwealth, 341 Mass. 264, 274-76 (1960)

2. Majority Minority Districts

Section 2 of 42 U.S.C. Section 1973 (“the Voting Rights Act”) prohibits the use of an electoral system including the constituting of districts that denies minority voters an equal opportunity to elect candidates of their choice. Latino Political Action Committee v. City of Boston, 609 F. Supp. 79 (D. Mass., 1985) aff’d 784 F. 2d 409 (First Circuit, 1986).

The Committee reviewed the guidelines adopted by the 1992-1993 Redistricting Committee. These Guidelines were delineated in S. Rep. No. 417, 9th Cong., 2d Sess. 27, reprinted in 1982 U.S. Code Cong. & Ad. News 206-07. These Guidelines were further set forth in Latino.

- (1) The extent of any history of official discrimination in the state or political subdivision that may have touched the right of the members of the minority group to register, to vote, or otherwise to participate in the Democratic process.
- (2) The extent to which voting in the elections of the state or political subdivision is racially polarized.
- (3) The extent to which the state or political subdivision has used unusually large election districts, majority vote requirements, anti-single shot provisions, or other voting practices or procedures that may discriminate against the minority group.
- (4) If there is a candidate slating process, whether the members of the minority group have been denied access to that process.
- (5) The extent to which the members of the minority group in the state or political subdivision bear the effects of discrimination in such areas as education, employment and health, which hinder their ability to participate effectively in the political process.
- (6) Whether political campaigns have been characterized by overt or subtle racial appeals.
- (7) The extent to which members of the minority group have been elected to public office in the jurisdiction.
- (8) Whether there is a significant lack of responsiveness on the part of elected officials to the particularized needs of the members of the minority group.
- (9) Whether the policy underlying the state or political subdivision’s use of such voting qualification, prerequisite to voting, standard, practice, or procedure is tenuous.

The Redistricting Committee also considered that 42 U.S.C., Section 1973 section 2(b), section 2(a) is violated if:

Based on the totality of circumstances it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by sub section (a) of this section in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.

The Court of Appeals in the Latino case said “Boston’s history of discrimination in the area of voting rights was less egregious than in certain other parts of the country.”

In fact, Boston’s minority citizens had long actively participated in the electoral process. The [District] Court found that Boston does not follow practices (such as candidate slating processes) that tend to minimize the impact of minority votes; it follows some practices (such as permitting bullet voting) that may increase minority influence; and

Boston has recently changed its voting system to one of District selection, a fact that should help increase minority voter influence.

Section 2 of the Voting Rights Act of 1965 prohibits a political subdivision from proposing any voting qualifications or prerequisites to voting, or any standards, practices, or procedures that result in the denial or abridgment of the right of any citizen to vote on account of race or color and that violations are determined on the totality of circumstances. This was the fundamental issue in Thornburg v. Gingles, 478 U.S. 30, (1986) which focused on a claim concerning voter minority representation in multi-member districts. Although this issue is not present in the proposed plans for the Boston City Council districts, the principles evoked in this case must be considered when drawing single member District plans. A reviewing court must consider the “totality of circumstances” and determine whether the political process is equally open to minority voters. Gingles. That opinion went on to cite the above-referenced Senate Judiciary Committee Majority Report. The Gingles Court held that under the totality of circumstances where racially polarized voting existed, there was a legacy of official discrimination in voting matters, education, housing, employment and health services as well as a persistence of campaign appeals to racial prejudice. The Court therefore found that cohesive groups of black voters were denied the opportunity to participate equally in the political process and to elect candidates of their choosing.

In fact, since 1992, minority candidates have succeeded in being elected to the Office of District Attorney and have received Democratic nominations (tantamount to election) to the State Legislature. In the most recent state primary held on September 17, 2002, two Hispanic candidates were successful in securing the Democratic nominations for State Representative and State Senator for parts of Boston in districts that were not composed of high numbers of Hispanic voters. In January 2003, the City Council will welcome its first Hispanic member, Felix Arroyo, as the fourth At Large City Councillor.

Re-Precincting

As much as redistricting itself is a challenging task, the process is inextricably linked to the configuration of the 254 precincts in the City of Boston. Boston has been exempted from mandatory re-precincting. As a result, precincts have not been redrawn in many years. The result is that there are some precincts that have as few as 600 inhabitants while others exceed 6,000 people. Added to the challenge is that when the precinct lines were drawn, they had ties to the community structure, neighborhood boundaries, and commonalities present at that time. Since then, housing patterns, neighborhood or community composition, definitions, and characteristics have changed radically. However, since the state has already completed its redistricting process, it is impossible for Boston to go back and re-precinct. Even if it were done, it would only be effective for the City elections, and voters would have to go back to the “old” precincts for state and federal elections – causing even greater confusion. The Committee hopes that in the future, we can re-visit the re-precincting issue to explore options available before the next re-districting process.

Deadline for Action

In order for an individual to run for a District City Council seat, he/she must have lived in the district for 12 months prior to the date of the upcoming municipal election. The next regular municipal election will be on Tuesday, November 4, 2003. Therefore, the City Council and Mayor must have passed the ordinance before November 4, 2002. Failure to do so could result in a Court challenge based on any changes made to Council districts. By charter, the Mayor has 15 days to review and sign or veto ordinances passed by the City Council. The Mayor would need to receive the ordinance by Sunday, October 20. In actuality, he would need to receive it earlier than that to provide for as much notice to residents contemplating running for office, and time for the Council to make revisions in the event of a veto.

Committee Process in 2001 and 2002

The Committee on Census and Redistricting began its task of reapportioning the City's population among the nine districts in 2001 under the leadership of Councillor Chuck Turner. As Chair of the Committee, Councillor Turner followed up on hearings exploring methods to increase voter participation with two neighborhood hearings discussing the principles he thought should guide the Committee as it undertook the task of redistricting.

Councillor Turner then offered a redistricting plan at the Council meeting on October 31, 2001. A hearing was held on November 26, 2001 at City Hall to discuss the proposed new districts. At that time, then District 6 Councillor Maura Hennigan had been elected to fill an open At Large City Council seat, and then Councillor-Elect John Tobin had not yet taken office. Several District City Councillors, including District 5 City Councillor Daniel Conley, were running for the open Suffolk County District Attorney's seat. Councillor Turner's proposal made minimal changes in most of the districts but proposed dramatic changes in Districts 5 and 6. The basis of the move of 27 precincts was two-fold: to create a new and open District with a majority of people of color; and to unify precincts that had voted similarly on statewide ballot questions. The bulk of the testimony at the hearing focused on having neighborhood public hearings and waiting until after the Councillors were sworn in. As a result, no action on redistricting was taken in 2001. Councillor Turner filed a revised plan in April 2002.

As the Chair of the Committee on Census and Redistricting in 2002, I began my work by familiarizing myself with the voluminous amount of information gathered by Councillor Turner and staff on the City's demographics and requirements for redistricting. As part of my initial phase of the process, I asked each of the District Councillors to indicate how the residents of each of their precincts would identify the neighborhoods where they lived. Later in the spring, I met with each District Councillor to provide the District census and election data and to receive input on redistricting given the demographic shifts in their District. With Daniel Conley's appointment as District Attorney, the District 5 seat was vacant from February until late June. Residents called and strongly urged that their new district councillor should be sworn in before any further action occurs on redistricting. Once Rob Consalvo, the new District 5 Councillor, took office in late June, and with the input of the sitting Councillors, I developed three redistricting proposals for discussion and submitted them on July 10, 2002.

In keeping with the goal to have the committee process be an open one, the Committee held a public organizational meeting on July 24, 2002 to review the specific provisions of the proposals filed as of that date, and establish the locations, schedule, and format for subsequent hearings. Each City Council District could host one redistricting hearing, unless in the opinion of the district councillor, it was not needed. The District City Councillor provided information on where and when he/she would like to have the hearing. Six neighborhood hearings were scheduled in the evenings over three weeks based on Councillor and site availability. Two of the six hearings were jointly hosted by two Councillors. Maps, ordinances, and supporting data were sent to each Boston Public Library branch and the information was posted on the City Council's web page. Each Councillor was responsible for notifying interested individuals and groups in their District. The Committee held more than fifteen hours of hearings. In the six hearings held in the waning days of summer and early September, more than two hundred people attended, with more than eighty testifying before the Committee.

At the Census and Redistricting Committee meeting on September 19, 2002, I proposed a redistricting plan based on hearing testimony and Councillor input to be substituted for Plan B. Plans A, B, and C had been proposed for discussion purposes only. At that meeting, Councillor Scapicchio withdrew his plan and Councillor Turner withdrew the plan he offered in April. In consideration of the concerns raised by Councillors Turner and Yancey, I agreed to delay formal committee action and final Council vote for one

week to give them and other Councillors time to review the changes to Plan B included in the substitution and additional opportunities to voice concerns and suggest changes. Councillors were given until Monday, September 23 to submit further proposals for amendments to #0903 for compilation and calculation. Several Councillors took advantage of the time, leading to the language, approved by a majority of the Committee, to substitute for Plan B at the Council meeting on September 25, 2002. The substituted language was then returned to the Committee. Also at the September 25, 2002 meeting, Councillor Yancey proposed another plan, revising his earlier one.

Public Comment Overview

In reviewing the comments from the testimony, several common themes have emerged the hearings. Residents spoke with great passion about what they thought would be good for them and their neighbors. Residents from Chinatown to West Roxbury and Roxbury to Mission Hill were virtually unanimous in one respect – the overwhelming desire to keep their neighborhoods together or to reunite neighborhoods separated by redistricting. Some residents discussed the increasing diversity throughout the City and the wish to have another District with a majority of the voting age population comprised of people of color. In response to the strong calls from public testimony and from several of my colleagues, I made a public commitment to create a fourth district with a majority of voting age population who are people of color. The public hearing process provided opportunities for the residents to convey their perspectives on how they see themselves within the City of Boston. Below are some highlights of more than fifteen hours of hearings:

- Residents expressed appreciation for having neighborhood hearings on City Council redistricting. In the past, no one knew redistricting was happening at all until after the Council had voted.
- Residents pointed out that the benefits of having people with divergent perspectives in the same district provides the Councillor with information on more than one side of an issue, allowing the Councillor to be a more informed decision maker. Others stated that districts should contain residents with similar views to strengthen representation of those views through their elected officials.
- Residents discussed the need for a stronger electoral voice for the more progressive residents of Boston.
- Residents of Boston's public housing developments discussed their evolving relationships with the neighborhoods in which they are located and their desire to improve those relationships.
- Many residents noted the growing diversity in their neighborhoods and the resulting benefits changes. They noted that this has occurred over the past ten years without much government interference. Residents stated that they would like to see more elected officials who look like they do. Residents also stated that the focus should be who would meet their needs, regardless of what they looked like.
- One resident highlighted the neighborhood focus by pointing out the allocation of capital project funding is done by neighborhood and development issues focus at the neighborhood level. Other services throughout the City are also identified by neighborhood.
- Throughout the hearings, residents provided the Committee with clarification on what neighborhoods they considered specific precincts to be a part.
- A resident of Charlestown took the time to develop two maps of his own to submit to the City Council.
- Across the City, residents highlighted specific issues that their neighborhoods had worked together to improve their area.

- More than 100 residents of Chinatown signed a petition against dividing the Chinatown precincts.

Plan Overviews

A review of the testimony from hearings held last year on the principles of redistricting in comparison to the one hearing on a specific proposal demonstrated that only with specific proposals would the Committee receive public comment on the positives and negatives of all proposals. The hearings served to educate the Committee on characteristics people identified as tying them to others, the realities and perceptions of neighborhood boundaries, desires for changes both large and small, and nuances of considerations for redistricting. The plans served as the beginning of the redistricting conversation, not the final destination. Public hearings provided the road toward a final plan. The final plan passed by the Council has been significantly shaped by the public comments and detailed Councillor involvement.

Below is a summary of the different plans that have been offered:

- **Turner Plan (#0478):** Introduced on April 10, 2002. The plan is a modified version of the redistricting plan he proposed last year. The main feature of the plan is the creation of an open new majority-minority District seat. This open seat would be created as a result of restructuring the current districts 5 and 6, with District 5 encompassing predominantly Hyde Park and West Roxbury and District 6 including Jamaica Plain and parts of Hyde Park, with a significant Hispanic population. Under this plan, Councillor Consalvo would have to run against Councillor Tobin for the recreated District 5 seat. Roslindale would be represented by more than one City Councillor. The City Hall precinct would become part of District 8. Most other changes were minimal. The Turner Plan was withdrawn at the September 19, 2002 Committee Meeting.
- **Feeney A (#0902):** Introduced for discussion on July 10, 2002. Plan A includes reuniting both West Roxbury and Mission Hill in District 6, bringing more of Ward 11 (Jamaica Plan/Roxbury) into District 7, reuniting the Fenway in District 8, and unifying parts of Dorchester Avenue in District 4. The West End precinct would become part of District 8.
- **Feeney B (#0903):** Introduced for discussion on July 10, 2002. Plan B also reunites West Roxbury and Mission Hill in District 6, brings part of Forest Hills into District 6, bringing more of Ward 11 (Jamaica Plan/Roxbury) into District 7, and reunites the Fenway in District 8. This plan also brings Franklin Park into District 4. The West End precinct would become part of District 8.
- **Feeney C (#0904):** Introduced for discussion on July 10, 2002. Plan C makes major changes in districts 2 and 7 by bringing most of the South End into District 7 and moving more of Dorchester to District 2. It also moves City Hall and Beacon Hill to District 2. It reunites West Roxbury in District 6, and reunites most of Mission Hill in District 8, and Franklin Park would become part of District 4.
- **Yancey Plan (#1000):** Introduced on August 28, 2002. The Yancey Plan is similar to the Turner Plan in many respects, including the restructuring of Districts 5 and 6, but also focuses on having the district populations come as close as possible to 65,460. The Plan removes the City Hall precinct and one precinct in the North End and makes them part of District 2. The new District 6 would extend from parts of Mission Hill through Jamaica Plan, parts of Roslindale, and parts of Hyde Park. It would become a district comprised of a majority-minority voting age population and include more than 20 percent Hispanics of voting age. The new District 5 would include parts of Roslindale and Hyde Park with West Roxbury. Councillor Consalvo would have to run against Councillor Tobin. It unites more of the South End in District 7 and unites the Fenway in District 8. Mission Hill would be divided along different lines between District 6 and 8. Smaller changes were made to other districts, and no changes were made in District 9.

- ***Turner Revised Plan (#1062):*** Introduced on September 18, 2002. The plan reflects significant changes from the original submission. The West End and City Hall precincts become part of District 2. District 5 would include West Roxbury, most of Hyde Park, and parts of Roslindale. Councillor Conslavo would have to run against Councillor Tobin. District 6 would now include parts of Mission Hill and Roslindale, and Jamaica Plain. South End precincts become part of District 7. Fenway is more united in District 8, while Mission Hill retains the same split it has now. This plan does not create a majority-minority district of voting age people. Councillor Turner designed it to increase the Hispanic and progressive voice.
- ***Scapicchio Plan (#1064):*** Introduced September 18, 2002. The Plan moved the West End precinct from District 1 to District 8 and brought all Mission Hill precincts together in District 8. District 4 would shift east to add three precincts from District 3. District 5 becomes the newest majority-minority district by adding parts of Mattapan and Franklin Park. District 6 would now include all of Ward 11 and bring Forest Hills into the district. Councillor Turner would have to run against Councillor Tobin, creating an open District 7 seat. District 7 would now include more of the South End. This Plan was withdrawn at the September 19, 2002 Committee Meeting.
- ***Yancey Revised Plan (#1103):*** Introduced on September 25, 2002. The revision to the Yancey Plan includes the following changes to the original proposal. The plan returns 3:4 to District 1 and moves 3:5 into District 8; returns 4:2 and 4:3 to District 2; 17:11 returns to District 3; 14:3 returns to District 4; 18:9 is included in the newly numbered District 6; and 5:3 returns to District 8. The major feature of the plan is switching the District numbers for District 5 and 6 so that District 5 now includes parts of Mission Hill, Jamaica Plain, Roslindale, and Hyde Park while the newly numbered District 6 includes Hyde Park, West Roxbury, and Roslindale. The new District 5 would also include 18:18 and as a result Councilor Tobin would not have to run against Councilor Consalvo.
- ***Feeney Revised Plan B (#0903 substitution):*** On September 18, 2002, I distributed a revision to Plan B, originally submitted for discussion on July 10. The Plan moves the West End precinct from District 1 to District 8. District 4 would include three northern Dorchester precincts and one Roslindale precinct. District 5, as a new majority-minority voting age district, would include four precincts from District 4 (Hyde Park/Mattapan) and most of Roslindale and Hyde Park. District 6 would include Forest Hills with Jamaica Plain, West Roxbury, and one additional Ward 11 precinct. District 7 would include more of the Fenway and South End. Before the Committee Meeting on September 19, 2002, changes to four precincts were made in response to Councillor concerns. They were to retain 4:6 in District 8, return 10:6 and 10:7 to District 6, and return 11:3 to District 7. At its meeting, a majority of the Committee agreed to move the revised Plan B language to the full Council for substitution at the following meeting. Councillors were given the weekend to bring any further amendments forward. Changes submitted as part of the substituted language only moved three precincts from District 4 to District 5, and united Hyde Park and Roslindale completely within District 5. That language is currently in the Committee on Census and Redistricting as Docket #0903.

Final Plan

The plan proposed by the Committee is a compromise solution to an enormously complex problem. The plan conforms to the legal requirements that all districts are equally populous, composed of contiguous existing precincts, and as compact as they can be drawn “with a view toward preserving the integrity of existing neighborhoods.”

The Final Plan which the Committee is recommending for passage in this Committee Report is Feeney Revised Plan B (#0903). The language currently in Committee would be amended to reflect several changes. They are: returning Ward 9 Precinct 1 to District 2; moving Ward 4 Precinct 4 from District 2 to District 7; returning Ward 15 Precinct 1 to District 3; moving Ward 15 Precinct 2 and Ward 17 Precinct 11 from District 3 to District 4; and moving Ward 11 Precinct 5 from District 6 to District 7.

The new City Council Districts range in size from a low of 63,146 in District 3 to a high of 67,943 in District 5, a total variance of 7.3 percent from the norm of 65,460. The population of people of color ranges from a high of 95.8 percent in District 4 to a low of 30.1 percent in District 8. This Plan moves 19 precincts.

Based on overwhelming resident testimony, the focus of the Committee’s work was on neighborhoods. Individuals throughout the City identified themselves and what they sought from the City for services and how they wanted to be represented by neighborhood. The Plan unites the Hyde Park, Jamaica Plain, and Mission Hill neighborhoods, re-unites Roxbury and West Roxbury neighborhoods, and keeps Roslindale together.

As was mentioned above, the change in demographics has not been consistently experienced across the City even though the total population of people of color has surpassed the 50 percent mark. The Committee looked at where the greatest shifts in minority population have occurred in the districts as they are currently configured to evaluate the possibility of increasing the number of majority-minority districts in the City. The fastest growing populations are the Asian/Pacific Islanders and the Hispanics. These residents have moved into precincts throughout the City, with some larger concentrations in distinct areas, but not in strong enough numbers to redistrict without dramatic shifts in District lines.

In developing and revising the Final Plan, the Committee discussed the impact of having two precincts that vote in the same place and having to vote for different Councillors and the impact of moving district lines on voter participation. Reducing the number of precincts being moved and reducing the number of split voting locations was viewed as a way to help reduce voter confusion and assist voter participation. Below are the summaries of the changes the Final Plan makes to the current City Council districts.

District 1 – Charlestown, East Boston, North End, City Hall

Due to the configuration of District 1, options for change, required by the high population in the District, were limited. The only change to District 1 moves the West End precinct (3:5) to District 8. Any other option would divide the North End neighborhood.

District 2 – Chinatown, Dorchester, South Boston, South End

The plan makes minor changes to District 2, which was slightly above the permissible population range. Representation of the South End continues to be shared by several Councillors. Two precincts in the South End (4:4, 9:2) move into District 7, which already has several South End precincts.

District 3 – Dorchester – Columbia Savin Hill, Meeting House Hill, Jones Hill, Fields Corner, Neponset, Port Norfolk, Cedar Grove, Lower Mills, Clam Point, Harbor Point

The plan makes several small changes to District 3, which currently is slightly above the permissible population range. Two precincts in the Geneva Avenue/Bowdoin Street area (15:2, 15:5) become part of District 4. Along Dorchester Avenue, one precinct (17:11) moves to District 4, creating more continuity in that area.

District 4 – Dorchester – Franklin Field, Codman Square; Mattapan

In addition to the three new precincts added from District 3 (15:2, 15:5, 17:11), the Plan returns part of Columbia Road (14:1) in Dorchester to District 4 from District 7. The Plan makes a significant change in District 4 by moving part of Mattapan (18:3) into District 5. Precincts 18:5 and 18:21, while labeled Hyde Park, include parts of both Hyde Park and Mattapan, become part of District 5. District 4 is the district with the highest concentration of people of color (95.7 percent). While the identified changes do little to change that, the movement of the Hyde Park/Mattapan precincts would provide a greater opportunity to elect a person of color through the creation of a new majority-minority district of voting age. This issue was a frequent topic at the public hearings and several Councillors made a strong public commitment to creating that district. It is unfortunate that this plan does move a small part of Mattapan, but it does create the new majority-minority seat with the least disruption possible to the residents and voters.

District 5 – Roslindale, Hyde Park, Mattapan

District 5 demonstrated the most marked change in the increase of people of color in any district, jumping from 21.2 percent in 1990 to 48.3 percent in 2000. Based on the dramatic changes already occurring in Roslindale and Hyde Park, it made sense to develop a new majority-minority district in District 5. Based on the current trends for Roslindale and Hyde Park, the district's minority population will increase further in the future. District 5 now includes 18:3, 18:5, and 18:21 from District 4. Roslindale remains united so that at least at the local level, the residents have one person to go to. West Roxbury is re-united by returning 20:3 and 20:7 to District 6. The changes bring the voting age population of people of color to 50.5 percent while only moving 7 precincts.

District 6 – Jamaica Plain, West Roxbury

As currently configured, District 6 was below the permissible range for population. In order to unite Mission Hill, 10:8 moves to District 8. Precinct 11:5 moves to District 7, providing for a unification of the Roxbury Precincts. The Forest Hills section (19:7, 19:12) of Jamaica Plain is united with the remainder of the neighborhood. West Roxbury is united by returning two precincts (20:3, 20:7) removed in 1993.

District 7 – Fenway, Roxbury, South End

District 7, with the lowest population under the current configuration, needed to add precincts in order to be within the population range. Precinct 4:5 moves into District 7 from District 8, unifying the St. Botolph area of the Fenway. To unite Mission Hill, 10:1 moves to District 8. District 7 increases its representation of the South End by adding two Precincts from District 2 (4:4, 9:2). The Roxbury precincts are unified in District 7 with the return of precinct 11:5 from District 6.

District 8 – Beacon Hill, Back Bay, Fenway, Mission Hill, West End

Based on the strong desire of the Mission Hill neighborhood to become united in District 8, District 8 would now include 10:1 from District 7, and 10:8 from District 6. One precinct in St. Botolph area of the Fenway (4:5) would move to District 7. District 8 would now include the West End precinct (3:5).

District 9 – Allston/Brighton

The Plan adds one precinct to the District (21:3) and unites more of Boston University within District 9.

Acknowledgements

This process has been a long and difficult one that began last year under the leadership of Councillor Chuck Turner. I would like to thank the members of the Committee for their commitment maintain the openness of the redistricting process. At each hearing and meeting, we had at least four Councillors present to listen to the public testimony. Every Councillor wanted to keep the precincts they currently represent. In addition, I want to thank the Councillors, when faced with difficult choices, for participating in the Committee process to work to find a resolution, even if not ideal for them, that fulfilled the Committee's goals to the extent possible. Bill McDermott and Jack McElligott provided timely assistance in their review of the legal requirements and proposed maps. John Donovan, from the Boston Election Department, provided guidance on voting issues in specific precincts across the City. The ability to provide specific and accurate data and maps would not have been possible without the extensive and responsive assistance of the Boston Redevelopment Authority's Research Staff, in particular Rolf Goertze, Eswaran Selvarajah, and Martin von Wyss. The Council's ability to take on the redistricting process itself, instead of handing it over to someone else, would not have been possible without the commitment of the Committee's Liaison and Council Staff Director, Ann Hess, to run whatever numbers requested and coordinate this public process.

Committee Recommendation

This Committee has embarked on fulfilling the goals of legal compliance, creating or preserving neighborhood unity where possible, accounting for the demographic shifts, and limiting disruption for voters. The Committee fulfilled its commitment to a public process by conducting redistricting hearings throughout the neighborhoods of the City of Boston, taking testimony from an array of interested persons, and conducting several public meetings in City Hall. The attached plan embodies the fulfillment of the Committee's redistricting goals, public comment, and Councillor concerns.

The Committee on Census and Redistricting, to which was originally referred on July 10, 2002, with substituted language referred on September 25, 2002:

Docket #0903 – Ordinance Amending City Council Electoral districts

Having considered the same, recommends that the ordinance **ought to pass in the new draft.**

Councillors Consalvo, Ross, and Tobin concur with the report's recommendations.

For the Committee:

Maureen E. Feeney

Committee on Government Operations

Attachments